III. AMENDMENTS TO THE DRAWINGS

The attached Replacement Sheet of Drawing Figure 10 in legible form is filed herewith to overcome the objection to this drawing figure.

V. REMARKS

The drawing figures are objected to under 37 CFR 1.83 (a). The attached Replacement Sheet(s) of Drawings obviate the objection. Withdrawal of the objection is respectfully requested.

The specification is objected to because of informalities. The specification is amended to obviate the objection. Withdrawal of the objection is respectfully requested.

Claim 1 is provisionally rejected on the grounds of nonstatutory obviousness-type double patenting by being unpatentable over claim 1 of co-pending Application No. 10/697,004. The rejection is respectfully traversed.

In determining double patenting, the issue is whether any claim of the application defines merely an obvious variation of an invention **claimed** in the earlier patent or application. It does not prohibit a later claiming of subject matter that is disclosed but not claimed in the earlier patent or application. Double patenting is concerned with attempts to "claim" related subject matter twice. In re Gibbs, 437 F.2d 486, 168 USPQ 578 (CCPA 1971).

The United States Patent and Trademark Office must establish a *prima facie* case of obviousness-type double-patenting or the rejection, if applied, will be reversed by the Board of Patent Appeals. The United States Patent and Trademark Office is obligated to clearly set forth the basis of an obviousness-type double-patenting rejection. Under MPEP 804 II. B. 1., it states:

Any obviousness-type double patenting rejection should make clear:

(A) The differences between the inventions defined in the conflicting claims--a claim in the patent compared to a claim in the application; and

(B) The reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim in issue is an obvious variation of the invention defined in a claim in the patent.

It is respectfully submitted that the rejection is improper because the United States Patent and Trademark Office fails to make clear the obviousness-type double patenting rejection, particularly subparagraphs (A) and (B) above.

Furthermore, claim 1, as amended, includes features not claimed in the co-pending application.

As a result, it is respectfully submitted that the United States Patent and Trademark Office fails to establish a *prima facie* case of obviousness-type double patenting.

Withdrawal of the rejection is respectfully requested.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as anticipated by Loose et al. (U.S. Patent No. 6,517,433). The rejection is respectfully traversed.

Loose discloses a spinning reel slot machine that includes a plurality of mechanical rotatable reels and a video display. In response to a wager, the reels are rotated and stopped to randomly place symbols on the reels in visual association with a display area. The video display provides a video image superimposed upon the reels. The video image may be interactive with the reels and include such graphics as payout values, a pay table, pay lines, bonus game features, special effects, thematic scenery, and instructional information.

Claim 1, as amended, is directed to a gaming machine that includes game result display means for displaying a game result thereon and beneficial state generating means for generating a beneficial state for a player when a predetermined game result is displayed on the game result display means. Claim 1 recites that the game result display means includes first display means and second display means arranged ~~at a more front side than~~ in front of a display area of the first display means when seen from a front side of the gaming machine. Furthermore, claim 1 recites that the second display means conducts a demonstration display in which a background thereof is displayed in a dark color so that the game result on the first display means is difficult to be seen and light transmitting symbols are variably displayed in the background, after the game result is displayed on the first display means and a part of the game result on the first display means is seen only through

the light transmitting symbols while being variably displayed on the second display means.

It is respectfully submitted that none of the applied art, alone or in combination, teaches or suggest the features of claim 1 as amended. Specifically, it is respectfully submitted that none of the applied art, alone or in combination, teaches or suggest the second display means conducts a demonstration display in which a background thereof is displayed in a dark color so that the game result on the first display means is difficult to be seen and light transmitting symbols are variably displayed in the background, after the game result is displayed on the first display means and a part of the game result on the first display means is seen only through the light transmitting symbols while being variably displayed on the second display means. Thus, one of ordinary skill in the art would not be motivated to combine the features of the applied art because such combination would not result in the claimed invention. As a result, it is respectfully submitted that claim 1 is allowable over the applied art.

Claims 2-5 depend from claim 1 and include all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

Claim 3 is rejected under 35 U.S.C. 103(a) as unpatentable over Loose and further in view of Mitsuo (JP 2000116843). The rejection is respectfully traversed.

Claim 3 depends from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claim is allowable at least for the reason claim 1 is allowable as well as for the features it recites.

Withdrawal of the rejection is respectfully requested.

Further, Applicants assert that there are also reasons other than those set forth above why the pending claims are patentable. Applicants hereby reserve the right to submit those other reasons and to argue for the patentability of claims not explicitly addressed herein in future papers.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything

further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: November 22, 2006 By: _____
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Enclosure(s): Amendment Transmittal
Replacement Sheet of Drawing Figure 10
Petition for Extension of Time (three months)

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